



Planning Division

MINUTES – Opening Remarks

Planning Commission Meeting: June 8, 2020

The Planning Commission convened at 7:00 p.m. to meet in regular session with Chairman Dean Vakas presiding. Commissioners Ryan Nelson, Barry Sutherland, Shirley Allenbrand, Marcia Youker and Taylor Breen were present in the chamber. Commissioners Ryan Freeman, Chip Corcoran and Jeremy Fry participated remotely via Zoom.

Recited Pledge of Allegiance.

The Chair made introductory comments. Regarding *ex parte* communication, the Chair requested that if a commissioner had something to report, they specify the nature of the *ex parte* communication when item is reached in the agenda.

A motion to approve MN20-0511, the meeting minutes from May 11, 2020, was made by Comm. Nelson and seconded by Comm. Sutherland and passed with a vote of 9-0.



Planning Division

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Application:	<u>PR20-0010:</u> Request approval for a revised preliminary site development plan for Tommy's Car Wash on 1.04± acres; located at 225 S. Parker Street.
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A motion to approve PR20-0010 was made by Comm. Nelson and seconded by Comm. Sutherland, and passed with a vote of 9 to 0 with the following stipulations:

1. A final site development plan must be approved prior to issuance of a building permit.
2. The design and screening of the vacuum bays will be reviewed and approved with the final site development plan.
3. Parking lot and building lighting will be reviewed and approved with the final site development plan.
4. Sign standards for the car wash will be determined with the final site development plan with submittal of a comprehensive sign plan for review and approval.
5. As required by the UDO, all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, must be screened from public view with landscaping or an architectural treatment compatible with the building architecture.



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Application:	<u>PR20-0014:</u> Request approval for a preliminary site development plan for Tract D, Willow Crossing, Second Plat Amenities on 1.98± acres; located at the northwest corner of 147 th Street and Haskins Street.
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A motion to approve PR20-0014 was made by Comm. Nelson and seconded by Comm. Sutherland and passed as presented with a vote of 9 to 0.



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Application:	<u>FP20-0005:</u> Request approval for a final plat for Hidden Lake Estates, Fourth Plat containing 30 lots and one (1) common tract on 28.45± acres; located northwest of W. 113 th Terrace and S. Clare Road.
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A motion to approve FP20-0005 was made by Comm. Nelson and seconded by Comm. Sutherland, and passed with a vote of 9 to 0 with the following stipulations:

1. Prior to recording, a digital file of the final plat (PDF) must be submitted to the Planning Division.
2. The final plat will conform to Title 17 Requirements. A final Stormwater Management Report will be required prior to recording of the final plat. Any regional detention will be constructed and accepted by the City prior to issuance of building permits.
3. All new on-site wiring and cables must be placed underground.
4. Above ground electrical equipment and telephone cabinets must be placed in the rear yard.



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Application:	<u>FP20-0006:</u> Request approval for a final plat for Courts at Stonebridge, First Plat containing one (1) common tract on 6.03± acres; located at the northeast corner of W. 168 th Terrace and W. 169 th Place.
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A motion to approve FP20-0006 was made by Comm. Nelson and seconded by Comm. Sutherland, and passed with a vote of 9 to 0 with the following stipulations:

1. Prior to recording the plat, a digital file of the final plat (.pdf format) must be submitted to the Planning Division.
2. Prior to recording, the plat must reflect any applicable stormwater treatment facilities and a Stream Corridor Maintenance Agreement must be submitted to the Public Works Department.
3. Prior to the issuance of building permits, this development must meet Title 17 Stormwater quality treatment requirements, along with approval of a final stormwater management plan.
4. Prior to recording the plat, the street labeled as W. 169th Terrace must be renamed W. 168th Terrace.
5. Above ground electrical equipment and telephone cabinets must be placed in the rear yard.
6. All new on-site wiring and cables must be placed underground.
7. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view, either with three-sided landscaping or with an architectural treatment compatible with the buildings.



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Application:	<u>FP20-0007</u>: Request approval for a final plat for Valley Ridge, Fifth Plat containing 25 lots and one (1) common tract on 15.45± acres; located southeast of S. Cedar Creek Parkway and W. 115 th Street.
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A motion to approve FP20-0007 was made by Comm. Nelson and seconded by Comm. Sutherland, and passed with a vote of 9 to 0 with the following stipulations:

1. Prior to recording, a digital file of the final plat (PDF) must be submitted to the Planning Division.
2. A Homeowners Association agreement that describes maintenance of all detention and stormwater quality BMP's must be received prior to recording of the final plat.
3. All new on-site wiring and cables must be placed underground.
4. Above ground electrical equipment and telephone cabinets must be placed in the rear yard.



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Application:	<u>MP20-0006:</u> Request approval for a minor plat for Village of Forest Hills, Building 3 and 4 , containing eight (8) lots and one (1) common tract on 1.00± acres; located at the northwest corner of 174 th Terrace and S. Raintree Drive.
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A motion to approve MP20-0006 was made by Comm. Nelson and seconded by Comm. Sutherland, and passed with a vote of 9 to 0 with the following stipulations:

1. Prior to recording the plat, a digital file of the final plat must be submitted to the Planning Division.
2. All above ground electrical and/or telephone cabinets must be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials, subject to UDO 18.30.130.
3. All exterior ground mounted or building mounted electrical, mechanical, or utility equipment must be screened by landscaping or with an architectural treatment compatible to the main building.

MINUTES

Planning Commission Meeting: June 8, 2020

Application:	<u>RZ20-0004:</u> Preliminary Development Plan and Rezoning for 16129 S. Lone Elm Road
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Jessica Schuller, Senior Planner, presented an application for approval of a rezoning and preliminary site development plan for property located at 16129 Lone Elm Road, south of 159th and east of Lone Elm Road. Mission Life Church is to the north; Frito Lay warehouse is to the south; Olathe District Activity Center is to the east. The property is currently zoned County Rural. The applicant is requesting a rezoning to M-2 General Industrial District, which is the zoning on the property south of the site.

Ms. Schuller noted that there is an existing church building on the site that will remain in place and the interior renovated by the applicant. The applicant plans to construct another 14,000 square foot building on the site, east of the parking lot. Parking lot improvements include new islands, trees, a trash enclosure, and a new sidewalk will be constructed to Lone Elm Road.

Ms. Schuller stated that additional plantings will be added to the site to meet requirements of the UDO. The future land use map designates this area as an employment center, which aligns with the M-2 zoning designation and is a continuation of the zoning established on the lot directly to the south. Additionally, the zoning meets the standards of the Golden Criteria. These are large lots that exceed setback requirements and are buffered from adjacent properties. Also, rezoning the property follows the goals of the PlanOlathe Comprehensive Plan.

Ms. Schuller stated that staff finds the requested zoning to be compatible with the surrounding land uses and finds the preliminary site development plan to be consistent with the standards outlined in the ordinance. Staff recommends approval of the rezoning and preliminary site development plan as stipulated.

Ms. Schuller noted that there is also a special use permit application on tonight's agenda, which cannot be considered until after consideration of the zoning.

Comm. Nelson questioned the wording in stipulations b and c. **Ms. Schuller** explained that zoning stipulations are always separated from development plan stipulations in case future changes to a development plan are necessary.

Chair Vakas opened the public hearing and asked if there was anyone who wished to speak. **Judd Claussen**, appeared via Zoom on behalf of the applicant, Brandon Sutherland. They agree with all stipulations presented by staff. There being no questions, Chair Vakas called for a motion to close the public hearing.

Motion by Comm. Allenbrand, seconded by Comm. Breen, to close the public hearing.

Aye: Allenbrand, Sutherland, Freeman, Nelson, Fry, Corcoran, Youker, Breen, Vakas (9)

No: (0)

Motion was approved 9-0.

There being no further discussion, **Chair Vakas** called for a motion to recommend approval of this rezoning.

Motion by Comm. Sutherland, seconded by Comm. Allenbrand, that RZ20-0004 be recommended for approval, for the following reasons:

1. The proposed development complies with the policies and goals of the *Comprehensive Plan*.

Principle LUCC-6: Discourage Sprawl. “Discourage “leap-frog” or sprawling land use patterns by encouraging growth in serviceable areas. Promote the infill of vacant parcels and reinvestment in buildable areas.”

ES-4: Employment Areas as Districts. “Develop distinct employment districts to ensure Olathe’s strong and diversified economy.”

2. The requested rezoning to the M-2 District meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.

Comm. Sutherland’s motion included recommending approval of RZ20-0004 with no stipulations.

Comm. Sutherland’s motion included recommending approval of the associated preliminary site development plan, subject to the following stipulations:

1. A final site development plan must be approved prior to building permit submittal.
2. Building standards for new structures on site must comply with the Industrial Building requirements of UDO Section 18.15.020.
3. As required by the UDO, all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping or an architectural treatment compatible with the building.
4. All new on-site wiring and cables shall be placed underground.
5. At the time of Final Development Plan, the proposed building must either provide an automatic fire sprinkler system or alterations to the access roads in order to resolve the fire access deficiency.

Aye: Allenbrand, Sutherland, Nelson, Freeman, Fry, Corcoran, Youker, Breen, Vakas (9)

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No: (0)

Motion was approved 9-0.

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Application:	<u>SU20-0001</u>: Preliminary Development Plan and Special Use Permit for Animal Care – Indoor or Outdoor Kennel, K-9 Acres
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Jessica Schuller, Senior Planner, presented this special use permit and preliminary site development plan for K-9 Acres. This is the same site with additional details specific to the user of the site. It is within the employment center district established by the Future Land Use Map. The property proposes a rezoning to M-2 from existing County Rural designation, which is in conjunction with Case RZ20-0004 previously recommended for approval.

Ms. Schuller explained that the applicant is seeking a special use permit to allow a dog kennel and training facility with an associated veterinary clinic to be located on this site. The request complies with the UDO. The business would be open daily and include about 25 employees. Emergency vet hours will also be offered.

Ms. Schuller noted that the existing building was the location of a former church and is now vacant. The applicant plans first to renovate the building as a veterinary clinic before building a new 14,000 square foot kennel building. There is existing access to the site from Lone Elm Road, and landscaping is being added to meet current requirements of the UDO. There are existing landscape buffers along the property lines, and trees have been added throughout the site. Staff will continue to work with the applicant to finalize a plan for fencing and additional landscaping on site.

Ms. Schuller added that the proposed building is a single story constructed with tilt-up concrete panels in shades of light and dark gray. The primary façade is accented with stone veneer and canopies. She stated that the proposed building exceeds ordinance requirements for building materials, although staff will continue working with the applicant on the north elevation, adding additional articulation and detail to that façade. Also, staff supports applicant's request for a ten-year term for the special use permit. Staff recommends approval of this special use permit as stipulated.

Chair Vakas opened the public hearing and ask applicants represented if they wished to speak. **Judd Claussen, Phelps Engineering, 1270 North Winchester, Olathe**, appeared via Zoom on behalf of the applicant, Brandon Sutherland. He explained that there will be two phases because the applicant wants to open for business in the existing building as soon as possible. They are requesting a 10-year term.

There were no questions for Mr. Claussen, and no one else wished to speak. **Chair Vakas** called for a motion to close the public hearing.

Motion by Comm. Allenbrand, seconded by Comm. Sutherland, to close the public hearing.

Aye: Allenbrand, Sutherland, Freeman, Nelson, Fry, Corcoran, Youker, Breen, Vakas (9)

No: (0)

Motion was approved 9-0.

Chair Vakas also appreciates the investment the applicant is making in Olathe.

Motion by Comm. Nelson, seconded by Comm. Youker, that SU20-0001 be recommended for approval, subject to the following stipulations:

- a. The special use permit for *Animal Care – Indoor or Outdoor Kennel* is approved for a ten (10) year period effective from the date of the Resolution.
- b. A final site development plan must be approved prior to issuance of a building permit.
- c. As required by the UDO, all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping or an architectural treatment compatible with the building.
- d. All new on-site wiring and cables shall be placed underground.
- e. Details of the fencing of the outdoor enclosed dog areas, including landscaping details, shall be determined at the time of Final Site Development Plan.
- f. Additional architectural interest on the north and south facades will be provided by the applicant during Final Site Development Plan review.
- g. At the time of Final Site Development Plan, the proposed building must either provide an automatic fire sprinkler system or alterations to the access roads in order to resolve the fire access deficiency.

Aye: Allenbrand, Sutherland, Freeman, Nelson, Fry, Corcoran, Youker, Breen, Vakas (9)

No: (0)

Motion was approved 9-0.



City of Olathe
City Planning Division

MINUTES – Closing Remarks

Planning Commission Meeting: June 8, 2020

Aimee Nassif, Chief Planning and Development Officer, noted that the next Planning Commission will be held on Monday, June 29, 2020, at 7:00 p.m.

There were no other announcements.

Meeting adjourned.